

STOCKTON'S MISTRAL

No Verdict Possible in the Brown Bribery Case.

JURY OUT FIVE HOURS.

A Majority of Them Said to Have Voted in Favor of Acquittal.

FRIENDS OF THE ACCUSED

Were Present in Large Numbers and Are Incensed Against Witnesses.

STOCKTON, CAL., July 18.—The trial of James Brown, chairman of the Board of Supervisors, charged with having received a bribe for his vote for Architect Kuhl's plans for the new county hospital, came to an end to-day.

When the court convened this morning the defense rested their case and the argument was opened by Assistant District Attorney Davies, one of the most brilliant young lawyers in Stockton. His speech was full of sarcasm that made the Supervisor wince.

Judge Swinnerton followed for the defense. It was known that he was primed for a brilliant effort and the spectators were not disappointed, for Swinnerton put up an able defense for his client. Ex-Congressman James A. Lottitt, chief counsel for Brown, also made an able speech, and this afternoon District Attorney Nutter closed for the prosecution.

The case was given to the jury at 2:55 o'clock. In about an hour they came in for further instructions from the court and then retired for further deliberation. At 6 o'clock they were still unable to come to a decision and were taken to dinner by a Deputy Sheriff. At that time it was understood that the vote last taken by the jurors stood eight for acquittal and four for conviction.

Crowds lingered for hours around the courtroom and in the corridors of the courthouse, as all of the people here were greatly interested in the case.

At 7:50 o'clock the jury was brought into court and declared it could not agree upon a verdict. After reading once more a portion of his instructions, Judge Budd sent them back to again deliberate.

At 8:20 o'clock the jury was again brought into court and discharged, as there was no possibility of an agreement. Seven jurors were for acquittal and five for conviction.

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SILVER THEMATIC

Continued from First Page.

the mint. Indeed it is considerably more than double what it has been in any one of the four last years." I say that, that is in the record and occurred. No doubt about it.

Questions were then answered by Mr. Harvey, who said:

"This question is by H. L. Bliss of the Sound Money League of Chicago: 'You state that there was coined, prior to 1873, \$143,000,000 of silver, and that there was besides \$100,000,000 of foreign coin in circulation. There had been coined also \$850,000,000 of gold. Was this also in circulation?'

"The answer is that they were both in circulation up to the suspension of specie payments in 1861. Up to 1850 there were two dollars in silver in circulation in this country to one dollar in gold. Then came the enormous gold discoveries in California and the large increase in gold circulation that makes Mr. Bliss' figures show up so well for gold. Then came those discoveries between 1850 and 1873. How much of this gold has gone abroad I do not undertake to say."

"The next question is by Mr. L. G. Powers of Michigan, 'In Coin's Financial School Up to Date, page 152, you say, 'Coin here explains how an error had crept into the official report of the Treasurer. That he had since forced the Treasury Department to correct that error. Please explain the manifest discrepancy?'

"The answer is, 'Coin,' a little boy in knee pants, represents the cause of bimetalism. He does not represent me. [Applause and groans on each side of the house respectively.] I would not have the egotism to claim that I represent 'Coin' in the many arguments and sentiments and kind things said about the little boy by the author, and when Coin's influence is exercised at Washington or San Francisco or Memphis it means the influence of bimetalism and humanity."

On the request of Mr. Horr the further hearing of the debate was adjourned until 1 o'clock Saturday.

BIMETALLISTS OF GEORGIA.

Senator Morgan Made a Telling Talk for Silver.

GRiffin, Ga., July 18.—The bimetalists of Georgia met in convention here to-day. Every part of the State was represented. Senator Morgan of Alabama made the speech of the day. "He was there," he said, "as a disciple of Jefferson, Madison and Jackson, to speak in defense of the acts of Congress providing for the free coinage of silver, which policy was 'stabbed' below the fifth rib by John Sherman and left for dead."

Senator Morgan discussed the monetary question from every point of view. He declared the national banking system a menace to the welfare of the country. He advocated free equal coinage and the use of full legal tender of gold and silver. "That was," he said, "the test of true bimetalism."

Continuing, Senator Morgan said that Cleveland, in his financial policy, agreed with the Northeastern States—that furnish Democratic candidates—that the gold issue shall be considered apart from the party creeds, and that the "solid South" shall die broken. Mr. Morgan concluded an elaborate disquisition on the value of silver in our monetary system compared with gold by asking this question: "Has

statesmanship degenerated into charlatanism that the experience of eighty years without a break from Washington to Grant should be held for naught; and that the round, sonorous demand for 'sound money' with no definition of phrase shall be made as an impeachment of all of our history to 1892?'

Resolutions calling for immediate independent free coinage of silver and gold were adopted and an address to the people of the State prepared.

ECKELS IS HOPEFUL.

The Currency Comptroller Talks About Silver and Democracy.

CHICAGO, ILL., July 18.—James H. Eckels, Comptroller of the Currency, and his wife registered at the Palmer House this morning on their way to Ottawa, Ill., where they intend staying a few days.

"The chief topic of discussion in Washington just now," said Mr. Eckels, "is the change of plans for the silver convention to be held here in August. At first the convention was thought to be for the purpose of organizing the movement in the Democratic party, but it is now, according to Senator Jones, one of its promoters, merely to form a National committee to work in the next convention. From information gained as much from strong silver men as from their opponents, it is evident that the free silver movement is dying out. Better times and prospects of heavy crops have had a great deal to do with this, and it seems as though hard times are necessary for successful agitation. A serious change will have to take place before the next Democratic convention will adopt a free silver plank, and I don't believe that even the Illinois convention will do so either."

"The voluntary increase in wages of over 1,000,000 men during the last two months and the price of agricultural products show that the relations between wages and prices and the price of silver are not as stated by the advocates of free coinage. There is a general feeling among Democrats in the East that the prospects of the party are greatly improving. This feeling is largely brought about by the better times, and in spite of all that has been said about the administration and its dealings with financial questions, there is no doubt that the public credit has been fully restored. I consider the results of the last gold loan a splendid success. To have justified any sense, so long as we have to borrow money to carry on our securities abroad we must maintain a standard that foreign investors have confidence in, and they have no confidence in a standard based on conviction."

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SAN QUENTIN BOOKS.

Errors in Them Due Only to Faulty Book-keeping.

BUDD'S TASK FINISHED.

The Prison Officials' System Commended by the Governor.

NO OUTSIDE JUTE WORKED.

Estimates Being Prepared for an Electric Plant for the Penitentiary.

SAN QUENTIN, CAL., July 18.—Governor Budd finished his inspection of the prison and completed his searching examination into the accounts to-day. No errors were found in the books except those due to the faulty system of bookkeeping used by Shipping and Receiving Clerk Vanderbilt, and to prevent further errors from the same cause Prison Accountant Walden has already prepared for Vanderbilt an approved form of warehouse-books, which will be specially ruled and printed for the jute department. It was learned that each bale of bags put up in the mill is marked with a distinguishing number and with the prison trademark—the letters "S. Q. P." within a broad ring. The Governor complimented the prison officials very highly on the system in use, and expressed his conviction that it was impossible that a single bale of jute could be run through the mill illicitly.

During the inspection of the mill the Governor met an old client, "Billy" Miner, who is serving a long term for highway robbery, and had a long talk with him. In the course of the conversation the Governor asked if it were possible to run outside jute through the mill. Miner replied that any one who thought so was a fool, because the convicts were taken from easier jobs and put into the mill as a punishment, and were always on the lookout for something wrong and would only be too glad to report it.

Miner, by the way, was once a member of the famous Ames gang in Yolo County. When arrested he retained the Governor to defend him, but at the last moment his nerve failed him and he pleaded guilty. He is a second-tymer and therefore not eligible for a pardon.

The Governor's old client was a cellmate of Joe Marshall, who was shot and killed by Guard Alexander on the night of November 29, 1894. It will be remembered that a general break was expected that night and extra guards had been posted. Marshall and Miner had no knowledge of the attempt to break prison, but chanced to select that night for an independent attempt to escape. They were shot down within a few feet of their cell, and the others who had planned to escape took warning from their fate.

The Governor and the Prison Directors are having estimates prepared with a view of putting in an electric plant in the prison. The cost for lighting is now about \$6000. It is said that of this about \$2000 can be saved by the substitution. One of jute mill engines can be run separately at night to run the dynamo, and the expense of the necessary plant can be saved in about two months.

Messrs. DePue and Fitzgerald held a long conference on the law which limits the manufacturers at the prison to jute. Arguments were advanced to the effect that other lines of manufacture should be used at the other State institutions, but not permitted to come into competition in the open market. The Governor is strongly of the opinion that limiting the prison to jute material is unconstitutional, in that the constitution provides that the Legislature may enact prison regulations for the benefit of the State, but does not give that body power to limit the scope of that benefit. It is likely that an opinion on the subject will be requested from the Attorney-General soon. Mr. DePue would also like to test the constitutionality of the "sell to consumers only" statute. He says the prison could now sell 1,000,000 bags to Oregon dealers if permitted so to do.

Concerning the legal status of the case of Murderer Fredericks, who is scheduled to hang on the 26th inst., Warden Hale has received a verbal opinion from the Attorney-General to the effect that the prisoner's legal resources are exhausted and that the Warden must hang him on the day appointed or become liable for willful neglect of duty. The written opinion is expected in a few days.

Governor Budd left for San Francisco on the 3:30 p. m. train, and will go to-night to Sacramento to attend a meeting of the Board of Examiners to-morrow.

SALOONS MUST GO.

The Prison Directors Determined to Make Them Obey the Law.

SAN QUENTIN, CAL., July 18.—The Board of Prison Directors are to renew their warfare against the saloons here, which are located within the prohibited distance of one mile from the prison. The Directors claim that it is impossible to secure a conviction in the county, and are inclined to censure the county officials for their alleged listless prosecution of the offenders. They also claim that the saloons operate without licenses, in that no license can be issued legally for the stands they occupy.

An appeal was made to Governor Budd in the matter on the occasion of his visit to the prison yesterday, and he called the Attorney-General into the conference. That officer stated that in case no convictions could be secured by criminal process through the District Attorney's office the Directors should secure an injunction restraining the saloon-keepers from selling liquor within the statutory distance from the prison. In case the injunction should be disregarded the court would undoubtedly punish the offenders for contempt.

The Attorney-General added significantly that it was "possible also to institute proceedings against a District Attorney if he did not properly perform the duties of his office."

PAN-AMERICAN CONGRESS.

Advocates of Religion and Education Assemble at Toronto.

TORONTO, Ont., July 18.—The Pan-American Congress of Religion and Education was formally opened this afternoon at the Horticultural Gardens pavilion. Numerous distinguished visitors have arrived to participate in the programme, and more are expected daily. The attendance

of the delegates at the opening numbered nearly a thousand. Among the early arrivals were: President of the congress, Rev. Dr. S. G. Smith, St. Paul; Hon. C. C. Bonney of Chicago, ex-president of the World's Fair Religious and Educational Congress; Bishop Doane, St. Paul; Rev. Dr. Gracy, president of the International Missionary Union; Mrs. Charles Heron, vice-president of the woman's branch of the World's Fair Congress; Dr. Wilcox Burden, president of Baylor University, Waco, Tex.

Ber. Father Ryan, on behalf of the Roman Catholic priesthood of the city, jointly in the welcome extended by Mayor Kennedy and others.

A feature of the day, and one which will continue throughout the meeting, is the elaborate and enjoyable musical programme arranged and carried out in connection with the proceedings. Three thousand people gathered in the Horticultural pavilion to-night, where the first business session of the congress was held.

MRS. PIETZEL IN TORONTO.

The Mother of the Murdered Children to Give Testimony.

TORONTO, Ont., July 18.—Mrs. Pietzel, mother of the two murdered children, arrived here from Chicago at 9 o'clock this evening. To a reporter who met her at the train she said she had come to Toronto because Detective Geyer had requested her to do so. She did not know what her arrangement would be until she had talked with him. She will probably give evidence at the inquest to-morrow.

A post-mortem examination of Nellie Pietzel was commenced to-day, and medical testimony will be heard to-morrow. Meanwhile the crown authorities refuse to allow anything to be divulged in the Horticultural pavilion to-night, where the first business session of the congress was held.

PHILADELPHIA, Pa., July 18.—The principal development in the Pietzel case to-day was the appearance upon the scene of a witness who is to prove an alibi for Holme of the charge of murdering the two children in Toronto. The witness refused to give his name or where he is staying in the city. The man, it is learned, is a French-Canadian.

Onward Flows the Tide With Somewhat Monotonous Persistency.

There Can No Longer Be Any Doubt as to the Defeat of John Morley.

LONDON, Eng., July 18.—The polling thus far gives the following results: Conservatives 256, Unionists 47, Liberals 75, Anti-Parnellites 36, Parnellites 6. The Conservatives net gain is now 49. The Unionists have gained sixteen seats and the Liberals ten.

The Unionist success flows on with monotonous persistency. The result in Hythe, which was announced at about midnight, completed the long list of successes in the English boroughs, which are now all polled. Whatever prospective comfort the Liberals draw from the remaining English counties and Scotch and Welsh electorates must needs be chastened by defeats and equalized by the successes heretofore recorded in those quarters.

The popularity of Sir H. Campbell-Bannerman, lately Secretary of State for War, enabled him to retain the Stirling boroughs with an increased majority, but the Liberals have qualms regarding East Fifeshire, represented in the last Parliament by the late Right Hon. John Morley, the Home Secretary, and Midlothian, Mr. Gladstone's old district, in both of which constituencies polling took place to-day. The result will not be known until midway to-morrow.

The worst blow that the Liberals received to-day was the announcement of the defeat of the Right Hon. John Morley, formerly Chief Secretary for Ireland.

The party leaders had little if any hope that he would be returned, but under the present circumstances they are grasping at straws, knowing full well what a bad effect the defeat of the members of the late Government will have upon the elections yet to be held. It is freely stated that Mr. Morley, lately Secretary of State for War, is now actively campaigning in the west division of Monmouthshire, after his defeat in Derby.

FIGHTING BLACK FLAGS.

There Is Yet Work for the Japanese in Formosa.

LONDON, Eng., July 18.—A dispatch to the Times from Hongkong says the reports of serious fighting between Japanese and Black Flags in Formosa have been received from Amoy. The fighting took place six days ago, and the Black Flags were in almost overwhelming numbers and fought with the utmost bravery and stubbornness.

It was only the shells from the heavy guns of the Japanese that saved the latter from dire disaster. As it was, the Japanese were compelled to retreat to the northwest. The Black Flags, according to report, are now advancing upon Teckham, fifty miles from Amoy, where renewed fighting is imminent.

The Legion of Honor.

PARIS, FRANCE, July 18.—President Faure received General Frevier to-day and received from him the resignation of the council of the Legion of Honor, which was accepted by the President. The council, however, that the council would remain in office and execute their functions until the reorganization of the council is passed, which they have consented to do.

NATIONAL RETAIL JEWELERS.

Beginning of the Association's Convention at St. Louis.

ST. LOUIS, Mo., July 18.—The National Retail Jewelers' Association began a two days' session at its convention at 10:30 o'clock this morning.

A communication was received from the Mexican Consul at San Francisco, inviting the National convention to participate in the Mexican Exposition to be held next year; also one from the Washington Board of Trade, extending its rooms for the use of the members of the association at all times. The assembly committee asks for funds to have assays made during the coming year. The remainder of the morning was spent discussing the report of the constitutional changes and many additions to the constitution were made. The vice-presidents will be reduced from eight to two, the first and second vice-presidents. Committees were appointed on laws, ways and means, assay, grievances, finance and mileage. At the close of the day addresses were made in memory of President Goodman, deceased.

Storm of Wind and Rain.

ST. LOUIS, Mo., July 18.—A wind and rain storm is being thrashed the State. In many places the rainfall exceeds two inches. In some sections the storm was accompanied by lightning especially destructive. Reports so far received show that fourteen buildings were struck and three persons killed. In the city yesterday twenty-five houses were blown over by heat and three deaths reported. The weather to-day is sultry.

Cincinnati's Fatal Fire.

CINCINNATI, Ohio, July 18.—The fire here yesterday resulted in the death of two men and the injury of eighteen, and in a loss of \$75,000.

SENTENCE AT UKIAH.

Deacon Oldham Sent to Folsom for Twelve Years.

SCORED BY THE JUDGE.

One of the Most Scathing Judgments Ever Rendered by a Jurist.

HILTON GETS EIGHT YEARS.

It Is Believed Both Stage-Robbers Will Appeal to the Supreme Court.

UKIAH, CAL., July 18.—In the Superior Court this morning Judge McGarvey sentenced Deacon Oldham of the Baptist Church, who was the instigator of the stage robbery committed by G. W. Hilton, to twelve years in Folsom. Hilton was sentenced to eight years in San Quentin.

At 10 o'clock the courtroom was crowded to suffocation to hear the sentence pronounced in these cases.

When Judge McGarvey asked Oldham if he had any legal reason to offer why sentence should not be pronounced, his counsel, Seawell and Pemberton, made a motion for a new trial. Many points were made in favor of the motion, which were ably argued by Attorney Pemberton.

At the conclusion of Mr. Pemberton's argument the Judge denied the motion for a new trial. The court then addressed the prisoner as follows:

"I am called on this morning to perform a duty exceedingly unpleasant to me. At no time is it pleasant for a court to pronounce judgment of punishment upon his fellow-man. The surroundings of this case makes it doubly disagreeable to me. I know your associations here. I know your wife; I have known her all her life; she has my sympathy."

"The robbery was abetted, aided, abetted and assisted in the robbery charged in the information. The man that it is admitted did the robbery, at the time he committed the act was living at your house with you. He was your friend. Your wife was a friend of his. There is no other solution but the fact that you charge you with this crime? It is the first case on record I have known of or read of where a man without any inducement whatever, has come out and charged a friend with complicity in a crime of this kind. I think that Hilton gave you a promise of money. You would charge you with this crime? It is the first case on record I have known of or read of where a man without any inducement whatever, has come out and charged a friend with complicity in a crime of this kind. I think that Hilton gave you a promise of money. You would charge you with this crime? 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